



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/541,950	03/20/2006	Matthias Hauser	J&J5016USPCT	6627

27777 7590 10/20/2009
PHILIP S. JOHNSON
JOHNSON & JOHNSON
ONE JOHNSON & JOHNSON PLAZA
NEW BRUNSWICK, NJ 08933-7003

EXAMINER

ORWIG, KEVIN S

ART UNIT	PAPER NUMBER
----------	--------------

1611

MAIL DATE	DELIVERY MODE
-----------	---------------

10/20/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address : COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10541950	3/20/2006	HAUSER ET AL.	J&J5016USPCT

PHILIP S. JOHNSON
JOHNSON & JOHNSON
ONE JOHNSON & JOHNSON PLAZA
NEW BRUNSWICK, NJ 08933-7003

EXAMINER

Kevin S.. Orwig

ART UNIT	PAPER
----------	-------

1611

20091018

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

1. The reply filed on Aug. 5, 2009 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The restriction requirement dated Jul. 23, 2009, at paragraph 4 (see top of p. 4), specified that "Should Group I be elected, applicants are required to specify a single wax phase component selected from those recited in claims 5-7 or part (a) of claims 9-11. Applicants are also required to select a single type of polymer from those recited in claim 14. It also requested that applicant provide any known common or trade name(s) of the elected compounds." However, applicants responded by electing the wax phase component (see p. 2 of the response). Thus, a proper election has not been made for either the wax phase component or the polymer.
2. Applicants are required to specify a single wax phase component selected from those recited in claims 5-7 or part (a) of claims 9-11; select a single type of polymer from those recited in claim 14; and provide any known common or trade name(s) of the elected compounds so that examination of the claims may commence.
3. Furthermore, it is noted that applicants have not responded to the issue of missing claim 25, which was raised by the examiner in paragraph 1 (see p. 2) of the prior Office Action. Claim 25, originally drawn to a method of manufacturing a product, was missing from the updated claim set filed Jul. 8, 2005. A new claim set should be submitted in response to this Office Action clearly setting forth the status of claim 25 per C.F.R. 1.121(c).
4. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

KSO

/Kevin S. Orwig/
Examiner, Art Unit 1611

/David J Blanchard/
Primary Examiner, Art Unit 1643